

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEON E. WARMKESSEL,)	
)	Civil Action
Plaintiff)	No. 03-CV-02941
)	
vs.)	
)	
EAST PENN MANUFACTURING CO.,)	
INC.,)	
)	
Defendant)	

O R D E R

NOW, this 25th day of July, 2005, upon consideration of Defendant's Motion for Summary Judgment, which motion was filed March 15, 2005; upon consideration of the Reply of Plaintiff in Opposition to Motion for Summary Judgment, which reply was filed April 5, 2005; upon consideration of the briefs of the parties; and for the reasons expressed in the accompanying Memorandum,

IT IS ORDERED that Defendant's Motion for Summary Judgment is granted in part and denied in part.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment on Counts I through IV of plaintiff's Complaint is denied.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment on Counts VI and VII of plaintiff's Complaint is granted.

IT IS FURTHER ORDERED that Counts VI and VII are dismissed from plaintiff's Complaint.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge